IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.444 OF 2004
IN
SUMMARY SUIT NO.2548 OF 2003

Chesterton Meghraj Property
Consultants Pvt.Ltd. ....Plaintiff
V/s.
Kishore B. Nichani ....Defendant

Mr.A.H. Halai for the Plaintiff.
None for the Defendant.

CORAM : S.J. VAZIFDAR, J.
DATED : 22ND AUGUST, 2005.

P.C. :

1. The suit is filed on the basis of the balance confirmation letter dated 14th May, 2002 wherein the Defendant expressly confirmed that the balance of Rs.5,25,000/- was due and payable by him to the Plaintiff as on 31st March, 2002. There is however no agreement to pay interest.

2. There is no defence to the suit. There is no affidavit in reply except as to interest.

3. In the circumstances, the Summons for Judgment is made absolute and the suit is decreed only to the extent of Rs.5,25,000/- together with interest at the rate of 12% p.a. from the date of suit till payment and/or realization and costs.

. Refund as per rules.